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ABSTRACT

An officer in the Continental Army, Nicholas Gilman served on George Washington's staff through the dark days of Valley Forge to the final victory at Yorktown, and this experience made him a strong supporter of the U.S. Constitution. This booklet on Gilman is one in a series on veterans of the Revolutionary War who were also signers of the U.S. Constitution, and it covers his early life, his military service, and his public service to New Hampshire as a delegate to the Constitutional Convention and as legislator in the U.S. Congress. Personal data about Gilman and suggestions for further readings are also included. (DJC)

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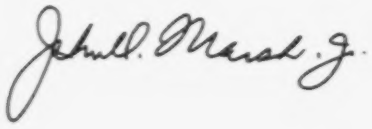
Introduction

In September 1987 the United States commemorates the bicentennial of the signing of the Constitution. Twenty-two of the thirty-nine signers of the Constitution were veterans of the Revolutionary War. Their experiences in that conflict made them deeply conscious of the need for a strong central government that would prevail against its enemies, yet one that would safeguard the individual liberties and the republican form of government for which they had fought. Their solution is enshrined in the Constitution. The President of the United States is the Commander in Chief of the nation's military forces. But it is the Congress that has the power to raise and support those forces, and to declare war. The Founding Fathers established for all time the precedent that the military, subordinated to the Congress, would remain the servant of the Republic. That concept is the underpinning of the American military officer. These twenty-two men were patriots and leaders in every sense of the word: they fought the war, they signed the Constitution, and they forged the new government. They all went on to careers of distinguished public service in the new Republic. Their accomplishments should not be forgotten by those who enjoy the fruits of their labors. Nor should we forget the fortieth man whose name appears on the Constitution. The Secretary was the twenty-third Revolutionary veteran in the Convention, who continued his service to the nation as one of its first civil servants.

This pamphlet was prepared by the U.S. Army Center of Military History with the hope that it will provide you with the background of a great American; stimulate you to learn more about him; and help you enjoy and appreciate the bicentennial.



John O. Marsh, Jr.
Secretary of the Army

NICHOLAS GILMAN
New Hampshire

Nicholas Gilman, New Hampshire patriot and Revolutionary War veteran, was among those assembled in Philadelphia in the summer of 1787 to devise a new instrument of government for the independent American states. Gilman realized that the resulting Constitution was less than perfect, leaving certain viewpoints and interests largely unsatisfied. It was, in fact, an amalgam of regional ambitions and citizen safeguards forged in the spirit of political compromise. But Gilman was among the Constitution's most ardent supporters, believing that there was no alternative to the strong, viable union created by such a constitution except a drift into political and economic chaos. Imbued with the emerging spirit of nationhood, he entered the struggle for ratification in his own state. At least nine favorable votes from the states were needed to install the new Constitution. Thanks to the work of Gilman and others, New Hampshire cast the crucial ninth aye vote.

Gilman's fervor for national unity flowed naturally from his experiences during the Revolution. An officer in the Continental Army, he served on George Washington's staff through the dark days of Valley Forge to the final victory at Yorktown. From this vantage point he came to appreciate the need for a strong central authority both to guide the political and social destiny of what was at best a loosely organized confederation of states and to preserve those personal liberties for which Americans had sacrificed so much. Daily contact with military and civilian officials representing a wide spectrum of economic interests made it obvious to this businessman-turned-soldier from a small New England state that the cost of a strong, permanent union was political compromise. During his long public career, Gilman worked hard to conciliate the differences between the various factions. He lived to see this course of action vindicated in a flourishing republic.

THE PATRIOT

Gilman could trace his roots in America to the earliest days of New Hampshire. The family had settled in Exeter, a substantial town in the eastern part of the colony. Here the Gilmans engaged in ship construction as well as in the profitable mercantile trade that linked the growing frontier settlements, the rest of the American colonies, and the West Indies. The Gilman family also performed the traditional public services expected of men of substance in eighteenth century America. Its sons, for example, served as militia officers in the 1745 campaign against the French stronghold at Louisbourg, Canada, and ten years later they were among those soldiers New Hampshire mobilized

to fight in the French and Indian War. Gilman's father was both a prosperous local merchant and the commander of the town's militia regiment.

Gilman was the second son in a family of eight children. Born during the French and Indian War, he was soon aware of the military responsibilities that went with citizenship in a New England colony. After attending local public schools, he became a clerk in his father's trading house, but the growing rift between the colonies and Great Britain quickly thrust Gilman into the struggle for independence. New England merchants in particular resented Parliament's attempt to end its "salutary neglect" of the financial and political affairs of the colonies by instituting measures to raise and to enforce the raising of revenue—measures that many Americans considered violations of their rights as British citizens. Gilman's father, along with Nathaniel Folsom and Enoch Poor, emerged as a leader of the Patriot cause in Exeter. He represented his community in the New Hampshire Provincial Congresses, which met just after hostilities broke out at Lexington and Concord in 1775 and which later drafted the first state constitution. During the Revolution he served as the state's treasurer. His oldest son, John, was a sergeant in Exeter's company of militia that marched to fight the Redcoats around Boston. Nicholas remained behind, but already an ardent supporter of the Patriot cause, he likely trained with the local militia regiment.

THE SOLDIER

In November 1776 a committee of the state legislature appointed young Nicholas Gilman to serve as adjutant, or administrative officer, of the 3d New Hampshire Regiment. That unit was in the process of a complete reorganization under the direction of its commander, Colonel Alexander Scammell. A superb combat officer, Scammell made good use of Gilman's administrative talents in the task of creating a potent fighting force out of the limited manpower resources at hand—a combination of raw recruits from around the state and ragged veterans of the Trenton-Princeton campaign. In time the 3d New Hampshire would be recognized as one of the mainstays of General Washington's Continental Army.

Because New Hampshire lay along the major invasion route from Canada to New York, Washington assigned its regiments a key role in the strategic defense of the northern states. In the spring of 1777 Gilman and the rest of the officers and men of the 3d New Hampshire marched to Fort Ticonderoga on Lake Champlain to participate in an attempt by American forces to halt the advance of a powerful army of British and German regulars and Indian auxiliaries under General John Burgoyne. Difficulties in coordinating the efforts of several different states turned Gilman's first military experience into one of defeat. The veteran British troops outflanked the fort, and only at the last

Oil, by Albert Rosenthal (n.d.). Independence National Historical Park.

minute did the garrison, including the 3d New Hampshire, escape capture by making a dangerous night withdrawal.

The patriots' grudging retreat lasted through the early summer, until a combination of British transportation difficulties and delaying tactics employed by the continentals finally slowed the enemy advance. This delay allowed time for a mass mobilization of New England militia, including a New Hampshire company of volunteers led by John Langdon and Gilman's father. It also provided Major General Horatio Gates with time to establish new positions near Saratoga, New York, to block Burgoyne's further advance, and then, once Gates had a numerical advantage, to cut off the British line of withdrawal to Canada. During this campaign Gilman was busily employed in supervising the training and readiness of Scammell's men. He participated with his unit in two important battles at Freeman's Farm, where Burgoyne's units were so pummelled that "Gentleman Johnny" was eventually forced to surrender his whole army.

Neither Gilman nor Scammell was granted a respite after this great victory. Less than a week after the British surrender, the 3d New Hampshire set out to reinforce Washington's main army near Philadelphia. The American capital had recently fallen to a larger British force, and the New Englanders had to spend a harsh winter in the snows of Valley Forge. That winter encampment put the units of the Continental Army to their supreme test, a time of suffering and deprivation from which they emerged as a tough, professional combat

team. Gilman's administrative skills came to the fore at this time. When Washington selected Colonel Scammell to serve as the Continental Army's Adjutant General, Scammell made Gilman his assistant. Promotion to the rank of captain followed in June 1778.

For the remainder of the war Gilman found himself in close proximity to the military leaders of the Continental Army. His duties in carrying out the myriad tasks necessary to keep a force in the field placed him in daily contact with Washington, Steuben, Knox, Greene, and others. He personally saw action in the remaining battles fought by Washington's main army, including Monmouth and Yorktown, while continuing to hold his captain's commission in the New Hampshire line. The death of Colonel Scammell, however, during the preliminary skirmishing before Yorktown robbed him of much of the joy of that great victory. Following the death of his father in late 1783, he retired from military service and returned to Exeter to assume control of the family's business.

THE STATESMAN

Gilman's career as a merchant proved short-lived. His service as a Continental Army officer had exposed him to many of the ideas of such prominent nationalists as Washington and Alexander Hamilton. Their influence, his family's own tradition of service, and his special skill at organization all combined to divert the young veteran into a political career. In 1786 the New Hampshire legislature appointed Gilman to the Continental Congress. He was also selected in 1786 to represent the state at the Annapolis Convention. Although he was unable to attend, his selection recognized Gilman's emergence as a nationalist spokesman, since the convention had been called specifically to address the country's serious economic problems and the inability of the separate states or Congress to solve them.

The outbreak of unrest and latent insurrection in western Massachusetts in late 1786 further strengthened Gilman's commitment to changing the Articles of Confederation. He was pleased to serve his state as a representative at the Constitutional Convention that met in July 1787. Although he and fellow New Hampshire delegate John Langdon, his father's former commanding officer, reached Philadelphia after the proceedings were well under way, they both immediately joined in the debates and helped hammer out the compromises needed to produce a document that might win approval in every state and region.

During the subsequent struggle to secure New Hampshire's ratification of the Constitution, Gilman remained in New York as a member of the Continental Congress, but he kept in close touch with his brother, John, who was one of the leaders of the state's ratification forces. Working in tandem, the brothers

used all of their considerable political influence to engineer a narrow 57–47 margin of victory in the final vote.

When the First Congress of the new United States of America convened in New York in 1789, Gilman was in attendance as a member of the House of Representatives, a seat he filled for four terms. During this period the Gilman brothers became a feature of New Hampshire politics. John Gilman became governor, a post he would hold for fourteen terms, while a younger brother embarked on a career in the state legislature. After returning to Exeter, Nicholas Gilman resumed his own political career in 1800, serving a term as state senator.

During this time Gilman's political loyalties began to change. Ever a staunch nationalist, he had supported the Federalists while that party led the fight for a more binding union of the states. But once that concept was firmly established, Gilman became increasingly concerned with the need to protect the common man from abuses of power by government. As a consequence, he gave his support to the Democratic-Republican party that was beginning to form around Thomas Jefferson. In 1801 he accepted appointment from Jefferson as a federal bankruptcy commissioner. Following one unsuccessful attempt, he was then elected to the United States Senate in 1804 as a Jeffersonian. Although the New Hampshire Yankee rarely spoke at length in legislative debate, his peers recognized his political prowess. He remained an influential member of the Senate until his death in 1814, which occurred while he was returning home from Washington during a recess.

Gilman summarized his belief in the importance of a strong national government on the day after he signed the Constitution. He called the new supreme law of the land "the best that could meet the unanimous concurrence of the States in Convention; it was done by bargain and Compromise, yet, notwithstanding its imperfections, on the adoption of it depends (in my feeble judgment) whether we shall become a respectable nation, or a people torn to pieces . . . and rendered contemptible for ages." These modest words typified this eminently practical soldier-statesman. Yet his modesty failed to mask the justifiable pride he obviously felt in the accomplishment of the Founding Fathers. Gilman himself had played no small part. He was one of those rare figures who successfully combined an eminently pragmatic approach to government with an unwavering vision of future greatness for his nation.

The Congress shall have Power . . .
To raise and support Armies . . . ;
To provide and maintain a Navy;
To provide for organizing, arming, and disciplining, the Militia . . . ;

ARTICLE I, Section 8.

Personal Data

BIRTH: 3 August 1755, at Exeter, New Hampshire
OCCUPATION: Merchant
MILITARY SERVICE:
Continental Army—7 years
Highest Rank—Captain
PUBLIC SERVICE:
Continental Congress—3 years
United States Senate—9 years
House of Representatives—9 years
DEATH: 2 May 1814, at Philadelphia, Pennsylvania
PLACE OF INTERMENT: Winter Street Cemetery, Exeter, New Hampshire

Further Readings

Nicholas Gilman has never been the subject of a full biography. However, biographical details are contained in Charles Bell's *History of the Town of Exeter, New Hampshire* (1888), and *Exeter in 1776* (1876); Arthur Gilman's *The Gilman Family* (1869); Willard A. Nichols' *Ancestors of Willard Atherton Nichols* (1911); Ezra S. Stearns et al., eds., *Genealogical and Family History of the State of New Hampshire* (4 vols., 1908); and the *Annual Report of the Adjutant General of New Hampshire for 1866* (2 vols.). Other books which shed light on the creation of the Constitution and the role of the military in the early history of the nation include Sol Bloom, *The Story of the Constitution* (1937); Catherine Bowen, *Miracle at Philadelphia* (1966); Alexander Hamilton, John Jay, and James Madison, *The Federalist Papers*; Don Higginbotham, *The War of American Independence* (1971); Merrill Jensen, *Making of the Constitution* (1979); Richard Kohn, *Eagle and Sword* (1975); Clinton Rossiter, *1787: The Grand Convention* (1966); U.S. National Park Service, *Signers of the Constitution* (1976); Gordon Wood, *The Creation of the American Republic* (1969); and Robert K. Wright, Jr., *The Continental Army* (1983).

Cover: *Scene of the Signing of the Constitution of the United States*, by Howard Chandler Christy, courtesy of the Architect of the Capitol.

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